

Interview Summary	Application No. 10/790,148	Applicant(s) ZUGEL ET AL.	
	Examiner R. Alexander Smith	Art Unit 2859	

All participants (applicant, applicant's representative, PTO personnel):

(1) R. Alexander Smith.

(3) Simon Kay.

(2) Harold L. Novick.

(4) _____.

Date of Interview: 17 May 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: A contractor's level with a mirror taped next to the plumb vial.

Claim(s) discussed: 20-37.

Identification of prior art discussed: Fairchild, Schrader, Anderson, Meeks.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



**RICHARD SMITH
PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The examiner agreed with the Applicant and the argument presented as filed on April 5, 2006 regarding Fairchild in view of Schrader. Roughly stated that for Fairchild, the vial must be level and not plumb in order for the mirror to work in conjunction with the sighting groove 102. Although claims 20, 21, 23, 25, 26, 28-30 and 32 were rejected by Fairchild in combination, Fairchild was mainly applied to reject the limitations of claim 21 since the other claims were also rejected as being unpatentable over Schrader in view of Anderson. With respect to the Applicant's arguments regarding Schrader in view of Anderson, these arguments were not persuasive since the arguments addressed Anderson in view of Schrader which was not the applied rejection. There was discussion with respect to claim 21 and allowance; however, the examiner indicated that a new search and/or consideration would be needed for all the claims.

The examiner indicated that this interview summary would be provided not at the end of the interview but later in the day. In the interim, an updated search has been conducted and claim 21 in further consideration is allowable.